

AUG 31 2009

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ENKHBAT ARILD, et. al,

Petitioners,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 06-74897

Agency Nos. A098-536-665

A098-536-666

A098-536-667

MEMORANDUM *

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted August 20, 2009 **

Before: WALLACE, HAWKINS, and THOMAS, Circuit Judges.

Petitioners Enkhbat Arild and Chuluuntsetseeg Shagdar, husband and wife,
and their minor child, all natives and citizens of Mongolia, seek review of the
Board of Immigration Appeals' ("BIA") order dismissing their appeal from an

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

immigration judge's ("IJ") decision denying their application for asylum and withholding of removal. We have jurisdiction under 8 U.S.C. §1252. We review for substantial evidence, *Sangha v. INS*, 103 F.3d 1482, 1487 (9th Cir. 1997), and we deny the petition for review.

The BIA only affirmed the IJ's credibility finding based on petitioners' demeanor during their testimony. Petitioners do not raise any challenge to the dispositive demeanor finding in their opening brief. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259 (9th Cir. 1996). Accordingly, we deny the petition.

PETITION FOR REVIEW DENIED.